

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	§	
	§	
Reliability and Continuity of Communications	§	PS Docket No. 11-60
Networks, Including Broadband Technologies	§	
Effects on Broadband Communications	§	
Networks of Damage or Failure of Network	§	
Equipment or Severe Overload	§	

**INITIAL COMMENTS OF THE TEXAS 9-1-1 ENTITIES**

The Texas 9-1-1 Alliance,<sup>1</sup> the Texas Commission on State Emergency Communications,<sup>2</sup> and the Municipal Emergency Communication Districts Association<sup>3</sup> (collectively, the “Texas 9-1-1 Entities”) respectfully submit the following brief initial comments regarding the Federal Communications Commission (the “Commission”) Public Notice in the above-referenced proceeding.<sup>4</sup> In the Public Notice, the Commission, among other things, seeks comments on the effectiveness of the Wireless Network Resiliency Cooperative Framework (“Framework”) and also seeks comments on a future Commission study that will address the public safety benefits,

---

<sup>1</sup> The Texas 9-1-1 Alliance is an interlocal cooperation entity composed of 26 Texas emergency communication districts with E9-1-1 service and related public safety responsibility for more than 63% of the population of Texas. These emergency communication districts were created pursuant to Texas Health and Safety Code Chapter 772 and are defined under Texas Health and Safety Code Section 771.001(3)(B).

<sup>2</sup> The Texas Commission on State Emergency Communications (“CSEC”) is a state agency created pursuant to Texas Health and Safety Code Chapter 771, and by statute is the state program authority on emergency communications. CSEC’s membership includes representatives of the Texas 9-1-1 Entities and the general public, and directly oversees and administers the Texas state 9-1-1 program under which 9-1-1 service is provided in 206 of Texas’ 254 counties, covering approximately two-thirds of the state’s geography and one-fourth of the state’s population.

<sup>3</sup> The Municipal Emergency Communication Districts Association (“MECDA”) is an association of 26 municipal emergency communication districts, as defined under Texas Health and Safety Code Section 771.001(3)(A), that are located primarily in the Dallas-Fort Worth area.

<sup>4</sup> See *Public Safety and Homeland Security Bureau seeks Comment on the Effectiveness of the Wireless Network Resiliency Cooperative Framework and for the Study of Public Access to 911 during Emergencies*, No. 11-60 (rel. Jun. 13, 2018) (available at <https://ecfsapi.fcc.gov/file/0613005416722/DA-18-614A1.pdf>).

technical feasibility, and costs of providing the public with access to 9-1-1 during times of emergency via Wi-Fi access points and other technologies, when mobile service is unavailable (“Ray Baum’s Act Study”). The Texas 9-1-1 Entities limit these initial comments to the future Ray Baum’s Act Study.

Wi-Fi Calling<sup>5</sup> continues to become more common among wireless consumers for their general calling purposes. However, Wi-Fi Calling is still much less commonly used today for 9-1-1 calls, because of the default preference of a mobile handset to access the Commercial Mobile Radio Service (“CMRS”) network. In context of 9-1-1 calls, one wireless carrier<sup>6</sup> may route and present the location for Wi-Fi Calling 9-1-1 calls differently than another wireless carrier,<sup>7</sup> and some Wi-Fi Calling using a non-native dialer may not provide 9-1-1 calling options associated with their Wi-Fi Calling service.<sup>8</sup> None of these issues may truly present obstacles that cannot reasonably be addressed,<sup>9</sup> and as such may not ultimately be reasons for Wi-Fi Calling not to be

---

<sup>5</sup> See, NENA Master Glossary of 9-1-1 Terminology, definition of “Wi-Fi Calling” as “[a] service offering being used by some wireless carriers, cable companies, other companies, and some enterprise customers that seek to deliver voice calls over Wi-Fi. ... (available at [https://c.ymcdn.com/sites/www.nena.org/resource/resmgr/standards/NENA-ADM-000.22-2018\\_FINAL\\_2.pdf](https://c.ymcdn.com/sites/www.nena.org/resource/resmgr/standards/NENA-ADM-000.22-2018_FINAL_2.pdf)).

<sup>6</sup> See, <https://www.att.com/shop/wireless/features/wifi-calling.html> (“Can I dial 911 to reach emergency services using Wi-Fi Calling in the Domestic Coverage Area? Yes. When you place a 911 call, the call will go over the cellular network when possible. **If no cellular network is available, device location data from nearby Wi-Fi networks will be used to help locate you. If that data isn’t available, the address you provide will be used. We recommend that you update the address of your current location whenever you use Wi-Fi Calling.**”)

<sup>7</sup> See, Wi-Fi Calling Terms and Conditions, *SPRINT CUSTOMER AFFIRMATIVE ACKNOWLEDGMENT OF 9-1-1 SERVICE AND LIMITATIONS*, Relocation of End User Devices. **If Customer uses the Service in a location other than the Registered Location for that device, 9-1-1 calls may not be routed to the appropriate Public Safety Answering Point (“PSAP”) for the end user’s current physical location.** (Emphasis added) (available at <https://www.sprint.com/en/legal/wifi-calling-terms-and-conditions.html>).

<sup>8</sup> Cf., *Google Begins Testing Wi-Fi Calls for Google Voice* (Apr. 5, 2018) (“Google also notes that 911 calls won’t work with Voice’s data calls right now. You’ll have to use your regular phone dialer for that.”) (available at <https://www.extremetech.com/mobile/267052-google-begins-testing-wi-fi-calls-for-google-voice>).

<sup>9</sup> See, *Calling 911? Apple’s iPhone can tell a first responder where you are* (available at <https://www.usatoday.com/story/tech/talkingtech/2018/06/18/iphone-can-share-your-location-during-911-emergency/708573002/>).

used as envisioned in the future Ray Baum’s Act Study. Nevertheless, at the very least these issues might potentially impact public and PSAP expectations and education associated with any Ray Baum’s Act Study type of emergencies. Accordingly, we urge the Commission to consider these differences regarding calls to 9-1-1 using Wi-Fi Calling as part of the future Ray Baum’s Act Study,<sup>10</sup> including identifying potential best practices and expectations for Wi-Fi Calling with regard to 9-1-1 call availability and routing based on the caller’s physical location before seeking to route Wi-Fi Calling 9-1-1 calls based on Registered Location.

The Texas 9-1-1 Entities appreciate the opportunity to provide the foregoing initial comments on these matters, and respectfully request that the Commission take action in this proceeding in a manner consistent with these initial comments.

---

<sup>10</sup> Another potential difference between CMRS and Wi-Fi Calling is that Text Telephone (“TTY”) may not be an option with Wi-Fi Calling. *Cf., Wi-Fi Calling, more access in more places* (“Due to technical limitations, Wi-Fi Calling cannot be used with TTY devices and will not support 911 calls over TTY devices. Persons with communications disabilities can use Real-Time Text ([www.att.com/RTT](http://www.att.com/RTT)) as an alternative to TTY.”)

Respectfully submitted,

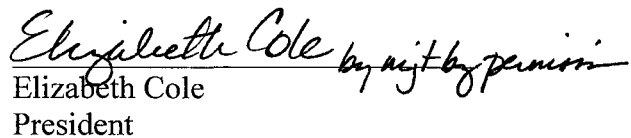


Michael J. Tomsu  
Vinson & Elkins L.L.P.  
2801 Via Fortuna, Suite 100  
Austin, Texas 78746  
512-542-8527  
512-236-3211 (fax)  
[mtomsu@velaw.com](mailto:mtomsu@velaw.com)

On behalf of the Texas 9-1-1 Alliance



Patrick Tyler  
General Counsel  
333 Guadalupe Street, Suite 2-212  
Austin, Texas 78701-3942  
512-305-6915  
512-305-6937 (fax)  
[Patrick.tyler@csec.texas.gov](mailto:Patrick.tyler@csec.texas.gov)



Elizabeth Cole  
President

On behalf of the Municipal Emergency Communication Districts Association

On the comments:

Richard A. Muscat  
Bexar Metro 9-1-1 Network

July 16, 2018